

Analysis of a sample of the article by this department showed that it consisted essentially of ammonium chloride, chloroform, extracts of plant drugs, traces of volatile oils, a possible trace of creosote, sugar, alcohol, and water.

It was alleged in the libels that the article was adulterated in that its strength, quality, and purity fell below the professed standard under which it was sold, in that it had no antiseptic action on the lungs, was not an active germicide, and was not an antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the labeling were false and misleading: (Bottle label) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and pine preparation \* \* \*. Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws;" (poster) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and Pine Preparation;" (display card) "Creo." Misbranding was alleged for the further reason that the following statements appearing on the labeling were false and fraudulent: (Display card) "For Coughs, Colds, and Bronchial Congestion. Quick Relief to Persistent and Chronic Cases \* \* \*. "Spasmodic Croup and Whooping Cough \* \* \*. Stops Coughs in 5 Minutes \* \* \*. Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \*. Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. Its beneficial influence in this disease can be ascribed to its stimulating effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist \* \* \*. Used as an expectorant in bronchitis and Spasmodic Croup \* \* \*. An active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of \* \* \* Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup \* \* \*, quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough. Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough. \* \* \* until relieved \* \* \*. For whooping cough and croup \* \* \*. Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \*. For better results in Severe cases."

On or about October 29, 1928, the Creo-Lyptus Co. (Inc.), Kansas City, Mo., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$1,000, conditioned in part that it be relabeled to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16122. Misbranding of alfalfa meal. U. S. v. 400 Sacks of Alfalfa Meal. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23151. I. S. No. 014226. S. No. 1249.)**

On or about October 18, 1928, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 400 sacks of alfalfa meal, remaining in the original unbroken packages at San Antonio, Texas, alleging that the article had been shipped by the Pecos Valley Alfalfa Mill Co., from Dexter, N. Mex., on or about September 1, 1928, and transported from the State of New Mexico into the State of Texas, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "100 Lbs. (Net) Alfalfa Meal Manufactured by Pecos Valley Alfalfa Mill Company, Hagerman, New Mexico."

It was alleged in the libel that the article was misbranded in that the statement "100 Lbs. Net" was false and misleading and deceived and misled the purchaser, since an examination of the product showed it to be short weight.

Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents.

On November 13, 1928, the Pecos Valley Alfalfa Mill Co., Hagerman, N. Mex., and the Maracheau Grain Co., San Antonio, Tex., having appeared and filed answer, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the owner, the Maracheau Grain Co., upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that the sacks be filled to the full weight declared on the labels.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16123. Adulteration and misbranding of Lee's Creo-Lyptus. U. S. v. 433¾ Dozen Bottles, et al., of Lee's Creo-Lyptus. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. Nos. 23111, 23112. I. S. Nos. 047, 048. S. Nos. 1200, 1201.)**

On October 1, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,683¾ dozen bottles of Lee's Creo-Lyptus, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Creo-Lyptus Co., from Peoria, Ill., on or about August 8, 1928, and transported from the State of Illinois into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

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It was alleged in the libel that the article was adulterated in that its strength, quality, and purity fell below the professed standard under which it was sold, in that it had no antiseptic action on the lungs, it was not an active germicide, and was not an antiseptic.

Misbranding was alleged for the reason that the following statements appearing on the labeling were false and misleading: (Bottle label) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and pine preparation \* \* \*. Contents of this package are guaranteed to comply with all Federal and State Pure Food Laws;" (poster) "Creo \* \* \*. An emulsified Creosote, Eucalyptus, and Pine Preparation;" (display card) "Creo." Misbranding was alleged for the further reason that the following statements appearing on the labeling were false and fraudulent; (Display card) "For Coughs, Colds, and Bronchial Congestion. Quick Relief to Persistent and Chronic Cases \* \* \*. Spasmodic Croup and Whooping Cough \* \* \*. Stops Coughs in 5 Minutes \* \* \*. Creosote—It is used in the treatment of tuberculosis, pneumonia, and bronchitis \* \* \*. Creosote was originally introduced in the treatment of tuberculosis on account of its antiseptic action on the lungs. \* \* \* its effect on the bronchial mucous membrane. For this action it is also a very valuable drug in the treatment of all types of chronic bronchitis. It is considered very reliable in the treatment of chronic inflammation of the air passages. Creosote if taken over a short period of time is taken in the blood tract and carried to the lungs, saturating them to the extent that it is next to impossible for pneumonia germs to exist \* \* \*. Used as an expectorant in bronchitis and Spasmodic Croup \* \* \*. An active germicide \* \* \* an antiseptic especially in the treatment of infections of the upper respiratory tract, and \* \* \* in chronic bronchitis and tuberculosis. It has been especially praised in asthma. \* \* \* in the treatment of Asthma and Bronchitis where there is a tendency to dyspnoea (difficult or labored breathing) and bronchial spasm. In chronic bronchitis of aged persons it is particularly salutary. It has been especially useful in the treatment of Whooping Cough and Spasmodic Croup \* \* \*. Asserted in the treatment of Catarrhal affections, Coughs, Colds, Croup, Whooping Cough, Asthma, etc.;" (poster) "Stop that Cough, Cold, or Croup \* \* \*. Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Asthma, Whooping Cough, Prevents Pneumonia;" (bottle label) "Quickly relieves persistent Coughs, Colds, Spasmodic Croup, Bronchial Congestion, Whooping Cough \* \* \* until relieved \* \* \*. For whooping cough and croup \* \* \* Creo-Lyptus should be taken regularly according to directions as long as cough is evident. Inflamed tissues are quickly relieved \* \* \*. For better results in Severe cases."